

# **REFERENCE COPY**

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## **EXPLANATION: SECLUSION, ISOLATION AND RESTRAINT**

**Revised at district's request.**

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## **SECLUSION, ISOLATION AND RESTRAINT**

### **Purpose**

Through the adoption of this policy, the Board of Education expects to promote safety and prevent harm to students, school personnel and visitors in the school district.

### **Policy Applicability**

This policy applies to all district personnel as defined in the policy. District personnel assigned to facilities not located on district premises (hospitals, detention centers, juvenile facilities and mental health facilities) will follow the policy as specified in the written agreement between the district and the facility. If no policy is specified in a written agreement, employees will follow the facilities' policies unless such policies conflict with the district's policy. If there is a conflict, the employee will notify his or her supervisor and follow district policy until otherwise directed by the Board of Education.

### **Definitions**

*Assistive Technology Device* – Any item, piece of equipment or product system that is used to increase, maintain or improve the functional capacities of a student with a disability.

*Aversive Behavioral Intervention or Aversive Intervention* – An intervention that is used for the purpose of eliminating or reducing maladaptive behaviors, including such interventions as: any form of noxious, painful or intrusive spray, inhalant or tastes; or other similar interventions. The term does not include such interventions as voice control limited to loud, firm commands; time-limited ignoring of a specific behavior; token fines as part of a token economy system; brief physical prompts to interrupt or prevent a specific behavior; interventions medically necessary for the treatment or protection of the student; or other similar interventions.

*Behavioral Intervention* – An individualized instructional and environmental support that teaches students appropriate behaviors to replace problem behaviors. Behavioral interventions are guided by a functional behavioral assessment that identifies the communicative intent of problem behavior and takes into consideration any known medical, developmental or psychological limitation(s) of the student.

*Behavior Intervention Plan (BIP)* – A plan that sets forth specific behavior interventions for a specific student who displays chronic patterns of problem behavior.

*Behavior Management* – Comprehensive, schoolwide procedures applied in a proactive manner that constitute a continuum of strategies and methods to support and/or alter behavior in all students.

*Confinement* – The act of preventing a student from leaving an enclosed space.

*Discipline* – Consequences for violating the district's student code of conduct.

*Emergency Situation* – A situation in which a student's behavior poses a serious, probable threat of imminent physical harm to self or others or destruction of property.

*Functional Behavior Assessment* – A formal assessment to identify the function or purpose the behavior serves for the student so that classroom interventions and behavior support plans can be developed to improve behavior. The assessment could include observations and charting of the behavior and interviews with family, teachers and the student to determine the frequency, antecedent and response of the targeted behavior.

*Individualized Education Program (IEP)* – A student's Individualized Education Program as defined by the Individuals with Disabilities Education Act (IDEA).

*Isolation* – The confinement of a student alone in an enclosed space without locking hardware. Isolation does not include supervised in-school suspension, detention or time-out used as disciplinary consequences in accordance with the district's student discipline code.

*Law Enforcement Officer* – Any public servant having both the power and duty to make arrests for violations of the laws of this state.

*Locking Hardware* – Mechanical, electrical or other material devices used to lock a door or to prevent egress from a confined area.

*Mechanical Restraint* – A device or physical object that the student cannot easily remove that restricts a student's freedom of movement or normal access to a portion of his or her body. This includes, but is not limited to: straps, duct tape, cords or garments. The term does not include assistive technology devices.

*Physical Escort* – The temporary touching or holding of the hand, wrist, arm, shoulder or back for the purpose of inducing a student who is acting out or eloping to walk to a safe location.

*Physical Restraint* – The use of person-to-person physical contact to restrict the free movement of all or a portion of a student's body. It does not include briefly holding a student without undue force for instructional or other purposes, briefly holding a student to calm the student, taking a student's hand to transport him or her for safety purposes, physical escort, or intervening in a fight.

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*Restraint* – See the definitions for *mechanical restraint* and *physical restraint*.

*School or District Employee or Personnel* – Any person employed by the district, volunteering for the district or performing services on behalf of the district or at the direction of the district. "School or District Employee or Personnel" may include persons working with students as independent contractors or on behalf of an independent contractor, or persons employed by another agency who are providing educational or related services to students.

*Seclusion* – The confinement of a student alone in an enclosed space from which the student is physically prevented from leaving by locking hardware.

*Section 504 Plan* – A student's individualized plan as defined by Section 504 of the Rehabilitation Act of 1973.

*Time-Out* – Brief removal from sources of positive reinforcement that does not meet the definition of seclusion or isolation. The purpose of time-out is to separate the student from the attention of staff and other students.

## **Use of Time-Out**

Nothing in this policy is intended to prohibit the use of time-out as defined in this policy.

## **Use of Aversive Interventions**

District personnel shall never use aversive interventions.

## **Use of Seclusion, Isolation and Restraint**

### ***Seclusion***

Seclusion as defined in this policy is prohibited except in an emergency situation while awaiting the arrival of law enforcement officers as provided for in state law.

### ***Isolation***

Isolation shall only be used:

1. In an emergency situation, or
2. When less restrictive measures have not effectively de-escalated the situation and the school has a behavior plan for how to respond in such situations, or

3. As specified in a student's IEP, Section 504 plan or other agreed-upon plan to address a student's behavior.

Isolation shall never be used as a form of punishment or for the convenience of district personnel.

A student in isolation must be monitored by district personnel who are in close proximity and able to see and hear the student at all times. Monitoring shall be face to face unless personal safety is significantly compromised, in which case technology-supported monitoring may be utilized.

A student will only be in isolation for the length of time necessary to address the emergency or in accordance with the applicable plan. The space in which the student is isolated should be a normal-sized room or classroom with standard lighting, ventilation and ceiling height.

***Physical Restraint***

Physical restraint shall only be used:

1. In an emergency situation, or
2. When less restrictive measures have not effectively de-escalated the situation and the school has a behavior plan for how to respond in such situations, or
3. As specified in a student's IEP, Section 504 plan or other agreed-upon plan to address a student's behavior.

Physical restraint will:

1. Only be used for as long as necessary to resolve the actual risk of danger or harm that warranted the use of physical restraint.
2. Be no greater than the degree of force necessary to protect the student or other persons from imminent bodily injury or to protect property.
3. Not place pressure or weight on the chest, lungs, sternum, diaphragm, back, neck or throat that restricts breathing.
4. Only be done by district personnel trained in the proper use of physical restraint.

District personnel who use physical restraint shall only use restraint methods in which they have received district-approved training. Further, district personnel who use physical restraint may only

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do so in the presence of at least one additional adult who is in the line of sight unless no other adult is immediately available due to an unforeseeable emergency situation.

Physical restraints should never be used as a form of punishment or for the convenience of district personnel.

### ***Mechanical Restraint***

Mechanical restraint shall only be used as specified in a student's IEP or Section 504 plan with two exceptions:

1. Vehicle safety restraints shall be used according to state and federal regulations.
2. Mechanical restraints employed by law enforcement officers in school settings should be used in accordance with appropriate professional standards and applicable policies.

### ***Emergency Situation Follow-ups***

Following any emergency situation involving the use of seclusion, isolation or restraint, a meeting shall occur as soon as possible to discuss the event and evaluate the process.

### **Training**

All district personnel who utilize seclusion, isolation or restraint will receive annual training in:

1. The appropriate use of physical restraint.
2. Professionally accepted practices in physical management and use of restraints.
3. The best way to explain the proposed restraint methods to students and parents/guardians.
4. The appropriate use of isolation.
5. The appropriate use of seclusion.

### **Records**

The superintendent or designee will maintain records documenting the use of seclusion, isolation and restraint.

**Notice to Parents/Guardians**

Except as otherwise specified in a student's IEP or Section 504 plan, following an emergency situation involving the use of seclusion, isolation or restraint, the parent/guardian of the student shall be notified through verbal or written means of the incident as soon as possible, but no later than the end of the day of the incident. Parents will receive copies of any incident reports generated regarding their student upon request.

The parent or guardian shall receive a written report of the emergency situation within ten school days of the incident. The written incident report shall include all of the following:

1. Date, time of day, location, duration, and description of the incident and interventions;
2. Event(s) that led up to the incident;
3. Nature and extent of any injury to the student;
4. Name of a school employee that the parent or guardian can contact regarding the incident; and
5. A plan to prevent the need for future use of seclusion, isolation or restraint.

**Students with Disabilities**

If the IEP or Section 504 plan of a student with a disability includes the use of seclusion, isolation, restraint or behavior intervention:

1. The IEP or Section 504 plan must specify the conditions under which seclusion, isolation, restraint or behavior intervention may be used.
2. The IEP or Section 504 plan must include steps to eliminate the need for the use of seclusion, isolation, restraint or behavior intervention.
3. Any use of seclusion, isolation, restraint or behavior intervention must be limited to what is set forth in the IEP or Section 504 plan.

Before adding the use of seclusion, isolation, restraint or aversive behavior intervention to an IEP or Section 504 plan, the student must have undergone appropriate assessments including, but not limited to, a formal functional behavior assessment, and the student must have a Behavior Intervention Plan in place.

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: 02/14/2011

Revised: 01/11/2016;

Legal Refs: §§ 160.261, .263, 563.061, RSMo.

Columbia School District No. 93, Columbia, Missouri